

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -x

UNITED STATES OF AMERICA

:

-v.-

:

SUPERSEDING INDICTMENT

JOHN RAYMOND ANTHONY WHITE,

:

S1 10 Cr. 516 (SHS)

a/k/a "John R. White,"

:

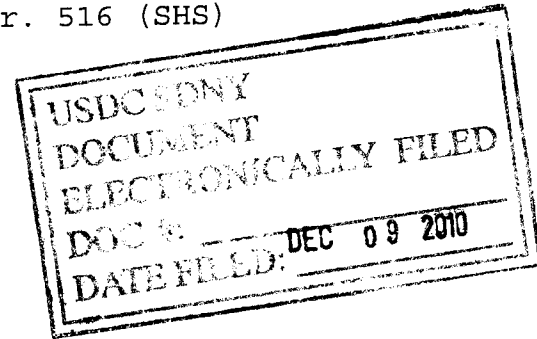
a/k/a "Raymond A. White"

:

a/k/a "John Raymond White,"

Defendant.

- - - - -x



Count One

The Grand Jury charges:

1. From at least in or about June 2007, up to and including in or about June 2010, in the Southern District of New York and elsewhere, JOHN RAYMOND ANTHONY WHITE, a/k/a "John R. White," a/k/a "Raymond A. White," a/k/a "John Raymond White," the defendant, unlawfully, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, for the purpose of executing such scheme and artifice and attempting so to do, did place in a post office and authorized depository for mail matter, a matter and thing to be sent and delivered by the Postal Service, and did deposit and cause to be deposited a matter and thing to be sent and delivered by private and commercial interstate carrier and did take and receive therefrom, such matter and thing, and did cause to be delivered by mail and such carrier according to the

direction thereon, and at the place at which it was directed to be delivered by the person to whom it was addressed, such matter and thing, to wit, WHITE falsely represented that Mitsubishi Construction Corporation ("MCC") was eligible for various government contracts for which MCC was not eligible in order to obtain such contracts by fraud, and sent and caused to be sent by commercial interstate carrier and the Postal Service documents and checks to and from government agencies in connection with such contracts and payments thereunder.

(Title 18, United States Code, Section 1341.)

Count Two

The Grand Jury further charges:

2. From in or about September 2009, through in or about June 2010, in the Southern District of New York and elsewhere, JOHN RAYMOND ANTHONY WHITE, a/k/a "John R. White," a/k/a "Raymond A. White," a/k/a "John Raymond White," the defendant, unlawfully, willfully, and knowingly, executed and attempted to execute a scheme and artifice with the intent to defraud the United States and to obtain money and property by means of false and fraudulent pretenses, representations, and promises in a procurement of property and services as a prime contractor with the United States, where the value of such contract was \$1,000,000 and more, to wit, WHITE falsely represented to the United States Department of Veterans Affairs (the "VA") that MCC was eligible for a contract designated for a veteran-owned business in order to

obtain for MCC a contract in the amount of \$5,698,000, to perform construction work for the VA in New York, New York.

(Title 18, United States Code, Section 1031.)

Count Three

The Grand Jury further charges:

3. From in or about June 2009, through in or about June 2010, in the Southern District of New York and elsewhere, JOHN RAYMOND ANTHONY WHITE, a/k/a "John R. White," a/k/a "Raymond A. White," a/k/a "John Raymond White," the defendant, unlawfully, willfully, and knowingly, executed and attempted to execute a scheme and artifice with the intent to defraud the United States and to obtain money and property by means of false and fraudulent pretenses, representations, and promises in a procurement of property and services as a prime contractor with the United States, where the value of such contract was \$1,000,000 and more, to wit, WHITE falsely represented to the United States Department of the Army (the "Army") that MCC was eligible for a contract designated for a service-disabled, veteran-owned business in order to obtain a contract in the amount of \$3,952,000, to perform construction work for the Army in Montrose, New York.

(Title 18, United States Code, Section 1031.)

Count Four

The Grand Jury further charges:

4. From in or about June 2007, through in or about June 2010, in the Southern District of New York and elsewhere, JOHN

RAYMOND ANTHONY WHITE, a/k/a "John R. White," a/k/a "Raymond A. White," a/k/a "John Raymond White," the defendant, unlawfully, willfully, and knowingly, executed and attempted to execute a scheme and artifice with the intent to defraud the United States and to obtain money and property by means of false and fraudulent pretenses, representations, and promises in a procurement of property and services as a prime contractor with the United States, where the value of such contract was \$1,000,000 and more, to wit, WHITE falsely represented to the VA that MCC was eligible for a contract designated for a service-disabled, veteran-owned business in order to obtain a contract in the amount of \$3,554,690, to perform construction work for the VA in Coatesville, Pennsylvania.

(Title 18, United States Code, Section 1031.)

Count Five

5. On or about March 31, 2010, in the Southern District of New York, in a matter within the jurisdiction of the executive branch of the government of the United States, JOHN RAYMOND ANTHONY WHITE, a/k/a "John R. White," a/k/a "Raymond A. White," a/k/a "John Raymond White," the defendant, unlawfully, willfully, and knowingly falsified, concealed and covered up by trick, scheme, and device material facts, and made materially false, fictitious, and fraudulent statements and representations, to wit, WHITE told a VA law enforcement agent ("Agent-1") that, as of March 31, 2010, another person ("Person-1") who is a veteran of

the Army owned 51% of MCC.

(Title 18, United States Code, Section 1001(a).)

Count Six

6. From in or about April 2010, through in or about May 2010, in the Southern District of New York and elsewhere, JOHN RAYMOND ANTHONY WHITE, a/k/a "John R. White," a/k/a "Raymond A. White," a/k/a "John Raymond White," the defendant, unlawfully, willfully, knowingly, and corruptly, attempted to persuade another person with intent to hinder, delay, and prevent the communication to a law enforcement officer of the United States of information relating to the commission and possible commission of a federal offense, to wit, WHITE instructed Person-1 to tell Agent-1 that Person-1 owned 51% of MCC in order to justify the award of various government contracts to MCC.

(Title 18, United States Code, Section 1512(b)(3).)

FORFEITURE ALLEGATION

7. As a result of committing the mail fraud offense in violation of Title 18, United States Code, Section 1341, alleged in Count One of this Indictment, JOHN RAYMOND ANTHONY WHITE, a/k/a "John R. White," a/k/a "Raymond A. White," a/k/a "John Raymond White," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461, any property, real and personal, constituting or derived from proceeds obtained directly or indirectly as a result of the offense alleged in Count

One of this Indictment.


SUBSTITUTE ASSET PROVISION

8. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

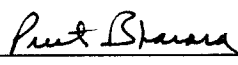
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, pursuant to 21 U.S.C. § 853(p) and 28 U.S.C. § 2461(c), to seek forfeiture of any other property of JOHN RAYMOND ANTHONY WHITE, a/k/a "John R. White," a/k/a "Raymond A. White," a/k/a "John Raymond White," the defendant, up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981; Title 21, United States Code, Section 853; and Title 28, United States Code, Section 2461.)



FOREPERSON



PREET BHARARA

United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

JOHN RAYMOND ANTHONY WHITE,
a/k/a "John R. White,"
a/k/a "Raymond A. White"
a/k/a "John Raymond White,"

Defendant.

SUPERSEDING INDICTMENT

10 Cr. 516 (SHS)

(Title 18, United States Code, Sections
981, 1001(a), 1031, 1341, 1512(b)(3);
Title 21, United States Code, Section
853; Title 28, United States Code,
Section 2461.)

PREET BHARARA

United States Attorney.

A TRUE BILL

Foreperson.

12/9/10
PH Superseding Indictment
Mr. Judge [Signature]